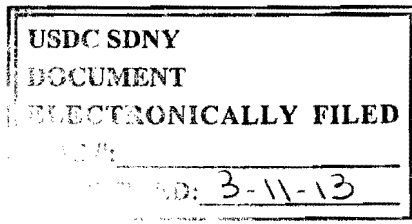


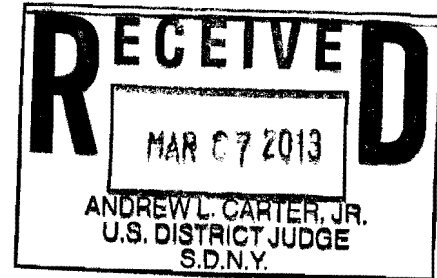
MEMO ENDORSED



March 7, 2013

Electronic Mail and First Class Mail

Honorable Andrew L. Carter, Jr.
United States District Judge
United States District Court, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312



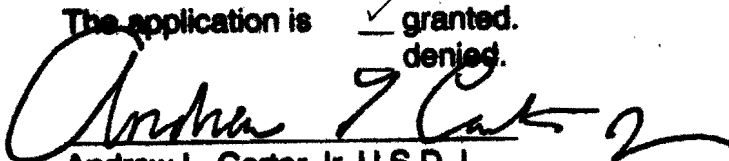
RE: *Erving, et al. v. Saxon Mortgage Services, Inc., et al.*
Case No. 1:12-cv-08992-ALC-HBP
Defendants' Request for Pre-Motion Conference

Dear Judge Carter:

We represent Plaintiffs in the above-referenced case. With respect to Defendants' request for a pre-motion conference in connection with their intention to file motions to dismiss Plaintiffs' Complaint, Plaintiffs hereby advise the Court and Defendants that Plaintiffs intend to file an Amended Complaint which will include additional facts supporting Plaintiffs' allegations and may include additional causes of action against one or more of the Defendants. Should the Court wish to set a deadline for Plaintiffs to file the Amended Complaint without holding a pre-motion conference at this time, then Plaintiffs request permission to have until April 8, 2013 to file their Amended Complaint. Thereafter, if the Defendants still decide to file motions to dismiss, Plaintiffs will respond substantively to all arguments asserted by Defendants. Plaintiffs' counsel note that in other cases involving these same defendants or similarly situated defendants, the plaintiffs have prevailed with respect to the same types of arguments set forth in the Defendants' letters requesting the pre-motion conference.

The application is ☒ granted.
☐ denied.

Respectfully submitted,


Andrew L. Carter Jr., U.S.D.J.
Dated: March 11, 2013
NY, New York


Edward W. Ciolko
Counsel for Plaintiffs

cc: All Counsel of Record